

## **REMARKS**

This application has been carefully considered in connection with the Examiner's Final Office Action dated February 26, 2007. Reconsideration and allowance are respectfully requested in view of the following.

### **Summary of Rejections**

Claims 13, 15-16, 18-19, 22, 24-32, 34-56 were rejected under 35 USC 102 (b).

### **Summary of Response**

Claims 13, 15, 18, 22, 25, 31, 34-36, 39, 44-47, and 49-56 are herein amended.

Claims 1-12, 14, 17, 20, 21, 23, and 33 have been previously canceled.

Claims 16, 19, 24, 26-30, 32, 37, 38, 40-43, and 48 are herein canceled.

Claims 57-71 have been newly added.

### **Summary of Claims Pending**

Claims 13, 15, 18, 22, 25, 31, 34-36, 39, 44-47, and 49-71 are currently pending following this response.

### **Applicant Initiated Interview**

Applicants thank Examiner Mark Francis for his time and consideration of the arguments presented in the interview on April 12, 2007. In the interview, Applicants presented arguments against the ground of rejection based on the Mack reference and presented in the Final Office Action dated February 26, 2007. Examiner Francis provided suggestions on how to amend the claims to further clarify the argued distinctions. A detailed discussion of the distinctions between the claims as amended and the Mack reference follows.

**Response to Rejections under Section 102**

In the Final Office Action dated February 26, 2007, Claims 13, 15-16, 18-19, 22, 24-32 and 34-56 were rejected under 35 USC § 102(b) as being anticipated by Mack, U.S. Patent No. 6,158,031 (hereinafter Mack).

Mack is directed to a system for testing hardware systems based on an ASN.1 device specification of the system (column 2, lines 50-65). The testing system of Mack translates an ASN.1 device specification of the system under test to generate a software simulator to simulate a network entity in communication with the system under test (column 3, lines 2-15 and lines 26-40). The simulator acts on messages received from the system under test in accordance with the network entity being simulated (column 4, line 66 – column 5, line 13). In generating the software simulator, the translator may receive a test scenario specification with the ANS.1 device specification (column 7, lines 14-17). The translator utilizes the test scenario specification to encode the software simulator with the capability to generate messages by employing an encoder and the capability to receive messages by employing a decoder (column 7, lines 32-62). Therefore, the software simulator disclosed by Mack is encoded with how to interact with the system under test and does not require any outside influence to dictate its interactions with the system under test. In contrast, the present disclosure is directed to simulators that operate under the direction of messages communicated by a test controller. This fundamental diction between Mack and the claims lead to the distinctions discussed in detail below.

**Claim 13:**

Mack does not disclose each of a plurality of messages communicated from a test controller includes an identification of one of a plurality of simulators.

Mack discloses in column 3, lines 2-5, line 9, and lines 40-55 that a translator 105 may automatically generate test scripts 109 in the form of computer software based test scenarios. Mack does not disclose that the test scripts 109 include a plurality of messages, each including a message component and a data component. Mack discloses in column 5, lines 52-56 that the test scripts 109 intercept and detect messages exchanged between the testing system 101 and the system under test 102. There is no teaching or suggestion of the messages identifying one of a plurality of simulators as required by the claims. Columns 8 and 9 of Mack provide detailed disclosure of the format of the messages communicated.

Mack does not disclose testing software.

Mack is directed to a system for testing a **system** under test and not for testing **software** under test as required by the claims. See column 2, lines 53-65 for disclosure on the types of systems Mack discloses testing. While software is used in Mack to test the system under test, there is no disclosure of testing software as required by the claims.

Mack does not disclose a plurality of simulators.

Mack discloses a single simulator 122, whereas the claims require a plurality of simulators. Mack discloses the function of the simulator 122 in column 3, lines 36-40 and column 4, line 66 – column 5, line 13.

Mack does not disclose displaying a result of the testing.

Mack does not provide any teaching or suggestion of displaying a result of the testing. Mack discloses an output file in column 11, lines 57-59, but does not provide any teaching or suggestion of displaying a result of the testing as required by the claims.

The limitations of claims 15 and 57-60 are similarly not taught or suggested by the prior art of record for at least the reasons detailed above.

**Claim 18:**

Mack does not disclose the messages communicated from a test controller to a simulator designate a direction of communication between the simulator and the software.

Mack discloses in column 7, lines 38-48 that a test scenario specification is a representation of an order in which specific messages should be sent and/or received. The translator 105 processes the specification and determines what messages to construct or expect. There is no teaching or suggestion of the translator 105 communicating a message to the simulator 122 wherein the message specifies the direction of communication.

Further, Mack does not disclose the added limitations of executing messages with an inbound direction of communication designated by waiting to receive a response from the software and upon receiving the response from the software, the simulator compares the response to an expected response included in the data portion of the messages and reports a result of the comparison to the test controller.

The limitations of claims 22, 25, 31, 34-36, and 61-68 are similarly not taught or suggested by the prior art of record for at least the reasons detailed above.

**Claim 39:**

Mack does not provide any teaching or suggestion of sequentially executing a first portion of messages communicated by a test controller by a simulator concurrent with sequentially executing a second portion of the messages communicated by the test controller by a second simulator.

The limitations of claims 44-47, 49-56, and 69-71 are similarly not taught or suggested by the prior art of record for at least the reasons detailed above.

**Conclusion**

Applicants respectfully submit that the present application is in condition for allowance for the reasons stated above. If the Examiner has any questions or comments or otherwise feels it would be helpful in expediting the application, he is encouraged to telephone the undersigned at (972) 731-2288.

The Commissioner is hereby authorized to charge payment of any further fees associated with any of the foregoing papers submitted herewith, or to credit any overpayment thereof, to Deposit Account No. 21-0765, Sprint.

Respectfully submitted,

Date: 4/26/2007



Michael W. Piper  
Reg. No. 39,800

CONLEY ROSE, P.C.  
5700 Granite Parkway, Suite 330  
Plano, Texas 75024  
(972) 731-2288  
(972) 731-2289 (facsimile)

ATTORNEY FOR APPLICANTS